

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2263
)	
STEVEN C. BOLES, D.O.)	FINDINGS OF FACT, CONCLUSIONS
Holder of License No. 1869 for the)	OF LAW AND SUMMARY SUSPENSION
practice of osteopathic medicine in the)	OF LICENSE
State of Arizona.)	
_____)	

The Board held a public meeting on June 24, 1997, regarding Steven C. Boles, D.O. (hereafter "Respondent"). Following the Board's review of information and evidence obtained pursuant to A.R.S. § 32-1855 and § 32-1855.01, and having considered the evidence and information in the matter and being fully advised, the Board enters the following Findings of Fact, Conclusions of Law and Order of Summary Suspension, pending proceedings for revocation or other action.

FINDINGS OF FACT

1. The Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") is empowered, pursuant to A.R.S. § 32-1800, et seq. to regulate the licensing and practice of osteopathic medicine in the State of Arizona.
2. Respondent is a licensee of the Board and the holder of License No. 1869 for the practice of osteopathic medicine in the State of Arizona.
3. On or about June 24, 1997 the Board held a telephone conference call at which time the Board's Executive Director informed the Board of an allegation and subsequent investigation regarding the following:
 - A. On June 13, 1997 the Board received a complaint alleging that Respondent was attempting to acquire controlled substances for personal use under fraudulent means.

- B. While investigating this allegation, the Board investigator found that one licensed pharmacist and three pharmacy supporting personnel in the Phoenix area confirmed his identification as both the alleged patient that was prescribed controlled substances as well as the prescribing physician. Respondent's identity was confirmed by one licensed pharmacist and three pharmacy supporting personnel by identifying the Respondent from the Board's licensure file photograph. Respondent was confirmed by the pharmacists and supporting personnel as obtaining prescriptions under three separate aliases at four separate locations. Respondent obtained Motrin, a prescription only drug and Lortab, which is classified by federal regulations as a Schedule III, controlled substance. Lortab is a drug which acts upon the central nervous system and therefore can adversely affect mental performance if taken in excessive quantity and subject to the sensitivity of the user. Habituation and dependence is a recognized side-effect for this drug.
- C. On June 20, 1997 the Arizona Department of Public Safety arrested Respondent at the Frys Pharmacy at 77th Avenue and Bell and charged him with four felony counts of obtaining narcotic drugs by fraud and four counts of obtaining prescription only drugs by fraud. Respondent had in his possession four different identification cards with the names Edward Porter, Charles Campbell, Tom Carr and Dave Engels and approximately twenty hydrocodiene tables on his person.
- D. Based on the allegation, interviews and investigation, the Board found that there is reasonable cause to believe that Respondent is acquiring controlled substances under fraudulent means for personal use.
- E. On June 23, 1997 Respondent admitted to the Board's Investigator that he was obtaining and using all medications obtained at various pharmacy locations. Respondent also stated that he was checking into Cottonwood De Tucson for substance abuse treatment.
- F. On June 23, 1997 Respondent admitted to the Board's Investigator that he was continuing to engage in the practice of osteopathic medicine while contemplating entering into a substance abuse treatment program.

4. The Board finds that Respondent's reported attempts to violate federal and state statutes and regulations concerning the issuance of prescriptions for controlled substances and that Respondent is personally consuming substances that impair his ability to safely and skillfully practice medicine.

CONCLUSIONS OF LAW

1. Pursuant to Arizona Revised Statutes § 32-1800, et seq., the Arizona Board of Osteopathic Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2. Pursuant to Arizona Revised Statutes § 32-1855(B), the Board may order that Respondent be interviewed by the Board and undergo medical, physical and/or mental examinations while under investigation.

3. The Board has the authority to summarily suspend an osteopathic medical license pursuant to A.R.S. § 32-1855(C) and § 41-1064 when the physician may not safely engage in the practice of medicine and is an immediate threat to the public health, welfare and safety.

ORDER

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. Pursuant to A.R.S. §32-1855(C) and § 41-1064, summarily suspending License No. 1869 held by STEVEN C. BOLES, D.O. for the practice of osteopathic medicine in the State of Arizona effective June 24, 1997, pending further disciplinary proceedings or until further Order of the Board.

2. Pursuant to A.R.S. § 32-1855(B), that STEVEN C. BOLES, D.O. shall submit himself for such mental, physical and/or oral or written medical competency examinations or any combination thereof as will be designated by the Board. Such examinations shall be conducted by persons specified by the Board.

3. Pursuant to A.R.S. § 32-1855(C), this matter shall be heard by a Hearing Officer or the full Board within sixty (60) days.

ENTERED this 24th day of June, 1997.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director

Served by personal service or by
U.S. certified mail this 24th day
of June, 1997 to:

Steven C. Boles, D.O.
702 E. Bell B119
Phoenix AZ 85022

A copy mailed this 24th day
of June, 1997 to:

Steven C. Boles, D.O.
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Served by personal service or by
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A copy mailed this 17th day
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